

was taken up, and the bill referred with the report to the committee on Private Land Claims.

The amendment of the House to the Senate's bill, to amend an act to incorporate the Indianola Railroad Company, approved 21st January, 1858 was concurred in.

On motion of Mr. Lott, the Senate adjourned until 10 o'clock A. M., to-morrow.

SATURDAY, January 7th, 1860.

Senate met pursuant to adjournment. Prayer by the Rev. Wm. M. Baker.

The journal of yesterday was read and adopted.

Mr. Townes presented the petition of George W. Glasscock for money. Referred to the committee on Claims and Accounts.

Mr. Guinn presented the petition of John H. Hyde for land, also, the petition of George S. Hyde for land, which were severally referred to the committee on Court of Claims.

Also, the petition of members of the Brazos Synod relative to the Sabbath day, which was referred to a select committee of five. Messrs. Guinn, Townes, Dickinson, Whaley and Fall were appointed said committee.

Mr. Whaley presented the petition of John M. Wyatt for money. Referred to the committee on Claims and Accounts.

Mr. Walker, chairman of the committee on Public Lands, made the following reports :

Reported back and recommended its passage, a bill to require the county courts of the counties of this State to furnish surveyors with offices and books of record with the following amendments.

Amend caption by striking out "offices," and strike out in 1st section "suitable offices for the transaction of in-door business."

Also a bill to provide for the sale of the reservations of land ceded to the United States for Indian purposes, without amendment, and recommended its passage.

Mr. Duggan, chairman of the committee on Counties and County Boundaries, reported upon the memorial of sundry citizens of Cass, Harrison, Upshur and Titus counties, by bill, to create the county of Marion, which was read 1st time.

Mr. Throckmorton, from the Judiciary committee, made the following report :

The committee on the Judiciary, to whom was referred a bill for the relief of certain colonists, or their assignees, of Peter's Colony, have considered the same. The committee find the objects of the bill to be to provide for the patenting of certain augmentation certificates. The facts are these: When the Commissioner, Thomas Wm. Ward, visited the colony to issue certificates he refused to issue to young men who married before July, 1848, the expiration of the contract, certificates for more than 320 acres. One of the parties who had applied for 640 acres and was refused by the Commissioner, appealed to the district court. The court gave him 640. The same case was brought, by the Colony contractors or their agent, to the supreme court. The case was dismissed in the supreme court. When the Commissioner returned to the Colony to finish his work he took in all this class of claims and issued to the parties 640 acres under the act of 10th February, 1852, acting on the decision of the courts and the precedent of Col. Ward, the county courts issued 640 acres to parties thus situated. With very few exceptions all these claims have been patented. They were recognized and acted on by Com'r Crosby but the present officer refuses to patent. The premises considered, the committee have instructed the undersigned to report the accompanying bill as a substitute for the original bill and to recommend its passage.

Mr. Shepard, chairman of the committee on Public Debt, reported unfavorably on the petition of Joshua P. Powers.

Mr. Shepard, chairman of the committee on State Affairs, made the following report:

The committee on State Affairs, to whom was referred the memorial of certain citizens of the county of Hopkins praying for the payment, by the State, of half the value of the negro man slave Jim the property of Wiley S. Tersell of said county, which said slave was lawfully imprisoned under the charge of a high crime, and afterwards taken from the jail by force and hung unlawfully by sundry citizens of Tarrant and vicinity, have had the same under consideration and instruct me to report that the prayer of the memorialists be not granted for the reason that the State cannot be expected to make good the damage done by one or more of its citizens to the property of another, and besides, that the said Tersell has his remedy by action at law against those who unlawfully deprived him of his property.

Mr. Townes, chairman of the committee on Enrolled Bills, reported the following bills correctly enrolled, properly signed and presented to the Governor:

A bill to incorporate the Horse Head Crossing of the Pecos Bridge Company.

A bill for the relief of Wiley Burns ; the heirs of Robert McKinney ; the heirs of Manuel Ramon and the heirs of David Barlow.

A bill confirming certain patents and to validate certain surveys in the Mississippi and Pacific Railroad Reservation.

A bill to incorporate the Pecos Bridge Company.

A bill to incorporate the Houston, Trinity and Tyler Railroad Company.

A bill for the relief of J. C. P. Kennymore.

A bill amendatory of and supplemental to an act to incorporate the city of New Braunfels.

A bill authorizing the Governor to procure the restoration to his parents of a certain boy named Wm. Horster, who was stolen by the Indians.

A bill for the relief of Wm. Phelps.

A bill to incorporate the Jefferson Insurance Company.

A bill supplemental to the modified charter of the Aransas Railroad Company.

Mr. Duggan introduced a bill to raise a revenue by direct taxation. Read 1st and 2nd times and referred to the committee on Finance.

Mr. Chambers introduced a bill for the relief of Jeremiah Vaughn and others. Read 1st and 2nd times and referred to the committee on Private Land Claims.

Mr. Herbert introduced a bill to prevent the sale of adulterated liquors. Read 1st and 2nd times and referred to the committee on Judiciary.

Mr. Schleicher introduced a bill for the relief of Michael Herbert. Read 1st and 2nd times and referred to the committee on Private Land Claims.

Mr. Hart introduced a bill supplementary to an act granting to settlers on the public domain pre-emption privileges, approved January 22nd, 1845. Read 1st and 2nd times and referred to committee on Public Lands.

Mr. Townes introduced a bill to authorize the Commissioner of the General Land Office to patent the bounty warrants of Oliver Buchman, No. 1630, for 960 acres to the assignee, Jas. Bailey. Read 1st and 2nd times and referred to the committee on Court of Claims.

ORDERS OF THE DAY.

A bill providing for the next election of Representatives to the Congress of the United States from the State of Texas,

being the special order, was on motion of Mr. Townes, laid on the table by the following vote :

YEAS—Messrs. Chambers, Duggan, Erath, Fall, Gentry, Grimes, Harman, Hart, Herbert, Hyde, Lott, Pitts, Rains, Schleicher, Sims, Townes, Walker, Wallace and Whaley.—19.

NAYS—Messrs. Dickinson, Guinn, Parsons, Potter, Quinan, Scarborough and Throckmorton.—8.

On motion of Mr. Hart, a bill to regulate Interest was taken up.

Mr. Duggan moved a call of the Senate which was sustained.

The resolution instructing the committee on contingent expenses relative to postage, &c, was adopted by the following vote :

YEAS—Messrs. Dickinson, Duggan, Fall, Grimes, Guinn, Harman, Hart, Herbert, Hyde, Lott, Pitts, Potter, Rains, Rainey, Sims, Throckmorton, Townes, Walker and Wallace. 19.

NAYS—Messrs. Chambers, Erath, Gentry, Quinan, Schleicher, Shepard and Whaley.—7.

A bill to amend the 23rd section of the general land law passed 14th December, 1837. Read 3rd time and passed by the following vote :

YEAS—Messrs. Chambers, Dickinson, Duggan, Fall, Grimes, Herbert, Parsons, Pitts, Quinan, Rainey, Schleicher, Shepard, Walker, Wallace and Whaley.—15.

NAYS—Messrs. Gentry, Guinn, Harman, Hyde, Lott, Potter, Rains, Sims, Throckmorton and Townes.—10.

On motion of Mr. Quinan, the vote was unanimously reconsidered and the bill referred to the committee on Public Lands.

The following bills were read 3rd time and passed :

A bill for the relief of H. C. Lazenby, by the following vote :

YEAS—Messrs. Dickinson, Duggan, Erath, Gentry, Harman, Herbert, Hyde, Potter, Quinan, Scarborough, Schleicher, Shepard, Throckmorton, Townes and Wallace.—15.

NAYS—Messrs. Chambers, Grimes, Guinn, Hart, Lott, Rainey and Whaley.—7.

A bill for the relief of E. G. Spencer and A. L. Cantwell.

A bill for the relief of the heirs of Caldwell Carson, dec'd.

The following bills were read 2nd time and passed to a 3rd reading :

A bill to amend the 2nd section of an act to create the 20th judicial district, approved January 2nd, 1860.

A bill to regulate and define the times of holding the district courts in the several counties of the 8th judicial district.

A bill regulating the duties of common carriers and defining their liabilities. Read 1st and 2nd times and referred to the committee on the Judiciary.

Mr. Townes, by leave, presented the memorial of Diadem Millican, H. H. Hagegood and Thomas J. Wood, which was referred to the committee on Court of Claims.

A bill amendatory of an act to incorporate the town of Waco, in McClellan county, approved August 29, 1856, was ordered to be engrossed.

On motion of Mr. Erath, the rule was suspended, bill read 3rd time and passed.

The report of the Judiciary committee on a bill to amend an act to authorize the cancellation of patents in certain cases, recommending its rejection, was adopted.

The report of the Judiciary committee on a bill to amend the laws providing for the registry of deeds and other instruments of writing, recommending its rejection, was read and adopted.

The report of the Joint committee on the memorial of Messrs. Marshall & Oldham, asking to be discharged from its further consideration, was read and adopted.

On motion of Mr. Throckmorton, a bill to define the 16th judicial district was taken from the table.

Mr. Throckmorton offered a substitute which was adopted and bill ordered to be engrossed. Rule suspended, read 3rd time and passed.

A bill supplementary to an act to provide for the registry of deeds and other instruments of writing. Ordered to be engrossed, rule suspended, bill read 3rd time and passed.

The report of the committee on Claims and Accounts on the memorial of Thomas J. Eanes, recommending that it lie on the table, was read and adopted.

A bill for preventing and punishing vice, profaneness and immorality, and for keeping holy the Lord's day, commonly called Sunday, on the report of committee on State Affairs recommending no action on the subject, was, on motion referred to the select committee this day raised on the petition of the Brazos Synod.

The report of the Judiciary committee on a bill to incorporate the Western Texas Insurance Company, recommending amendments, was read, amendments adopted and bill passed to a 3rd reading. Rule suspended, bill read 3rd time and passed by the following vote:

YEAS—Messrs. Chambers, Dickinson, Duggan, Erath, Fall,

Gentry, Grimes, Guinn, Harman, Hyde, Lott, Parsons, Pitts, Potter, Rains, Schleicher, Shepard, Sims, Throckmorton, Townes, Wallace and Whaley.—22.

NAYS—None.

A joint resolution proposing an amendment to the constitution. Read 2nd time.

Mr. Potter offered a substitute which was adopted and ordered to be engrossed. Rule suspended, read 3rd time and passed by the following vote :

YEAS—Messrs. Chambers, Dickinson, Duggan, Erath, Gentry, Grimes, Guinn, Harman, Herbert, Hyde, Lott, Parsons, Pitts, Potter, Quinan, Rainey, Scarborough, Shepard, Throckmorton, Townes and Wallace.—21.

NAYS—Messrs. Fall, Hart, Rains and Whaley.—4.

A bill to incorporate Guadalupe College. Read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed by the following vote :

YEAS—Messrs. Chambers, Dickinson, Duggan, Erath, Fall, Gentry, Grimes, Guinn, Harman, Hart, Herbert, Hyde, Lott, Parsons, Pitts, Potter, Rains, Rainey, Scarborough, Schleicher, Sims, Throckmorton, Townes, Walker, Wallace and Whaley.—Yeas 27.

NAYS—None.

A bill to incorporate the McKenzie College, on report of the committee on Education recommending amendments, read—amendments adopted and bill ordered to be engrossed. Rule suspended, bill read 3rd time and passed by the following vote :

YEAS—Messrs. Chambers, Dickinson, Duggan, Erath, Fall, Gentry, Grimes, Guinn, Harman, Hart, Herbert, Hyde, Lott, Parsons, Pitts, Potter, Quinan, Rains, Rainey, Scarborough, Schleicher, Shepard, Sims, Throckmorton, Townes, Walker, Wallace and Whaley.—28.

NAYS—None.

A bill to incorporate the Masonic Female Institute located at Prairie Lea, on the report of the committee on Education recommending amendments, read—amendments adopted.

Mr. Duggan moved to amend by striking out the word "Masonic" wherever it occurs and inserting "Prairie Lea."—Adopted. The bill was then ordered to be engrossed. Rule suspended, bill read 3rd time and passed by the following vote :

YEAS—Messrs. Chambers, Dickinson, Duggan, Fall, Gentry, Grimes, Guinn, Harman, Hart, Herbert, Lott, Parsons, Pitts, Potter, Quinan, Rains, Rainey, Scarborough, Schleicher, Shepard,

Sims, Throckmorton, Townes, Walker, Wallace and Whaley.—
YEAS 26.

NAYS—None.

A bill to incorporate the Southern Fire Insurance Company. Read 2nd time and ordered to be engrossed. Rule suspended, bill read 3rd time and passed by the following vote :

YEAS—Messrs. Chambers, Dickinson, Fall, Gentry, Grimes, Guinn, Hart, Herbert, Hyde, Lott, Parsons, Pitts, Potter, Quinan, Rains, Rainey, Scarborough, Schleicher, Shepard, Sims, Throckmorton, Townes, Walker, Wallace and Whaley.—25.

NAYS—None.

A bill for the incorporation of the Mystic Club. Read 2nd time and ordered to be engrossed. Rule suspended, bill read 3rd time and passed by the following vote :

YEAS—Messrs. Chambers, Duggan, Fall, Gentry, Grimes, Guinn, Hart, Herbert, Hyde, Pitts, Potter, Quinan, Rainey, Scarborough, Schleicher, Shepard, Sims, Throckmorton, Townes and Wallace.—20.

NAYS—Messrs. Dickinson, Lott, Rains and Walker.—5.

A bill to amend the Columbus, San Antonio and Rio Grande Railroad Company, on report of the committee on Internal Improvements recommending a substitute, read, substitute adopted and ordered to be engrossed.

Mr. Gentry offered the following amendment :

“That this Company shall commence work within one year after the passage of this act, and complete twenty-five miles within two years after the passage of this act.” Adopted. The rule was then suspended, bill read 3rd time and passed by the following vote :

YEAS—Messrs. Chambers, Dickinson, Duggan, Erath, Fall, Gentry, Grimes, Guinn, Herbert, Hyde, Parsons, Pitts, Potter, Quinan, Rains, Rainey, Scarborough, Schleicher, Shepard, Townes, Wallace and Whaley.—22.

NAYS—Messrs. Harman, Hart, Sims and Walker.—4.

Mr. Rainey, by leave, introduced a bill for the relief of John Murchison. Read 1st and 2nd times and referred to the committee on Private Land Claims.

On motion of Mr. Quinan, the Senate adjourned until 10 o'clock, A. M., on Monday.

MONDAY, January 9th, 1860.

Senate met pursuant to adjournment. Prayer by Rev. Mr.